

August 30, 2007

**MINUTES OF THE CITY COUNCIL MEETING HELD AUGUST 30, 2007**

A Work Session/Special Meeting of the City Council of the City of Hopewell, Virginia, was held Monday, August 30, 2007, at 6:08 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor  
Brenda S. Pelham, Vice Mayor  
Christina J. Luman-Bailey, Councilor  
Curtis W. Harris, Councilor  
Kenneth B. Emerson, Councilor  
E. Randy Sealey, Councilor  
N. Gregory Cuffey, Councilor  
  
Edwin C. Daley, City Manager  
Edwin N. Wilmot, City Attorney (arrived at 8:00 PM)  
Ann M. Romano, City Clerk

Mayor Taylor opened the meeting at 6:08 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	present
Councilor Harris	-	ABSENT (arrived at 6:11 PM)
Councilor Emerson	-	present
Councilor Sealey	-	ABSENT (arrived at 6:11 PM)
Councilor Cuffey	-	present

Council discussed the third Tuesday in September (18<sup>th</sup>) as a proposed Work Session. Three developers will provide a report along with March Altman. The Regular Council Meeting of October 9 will be cancelled and a Work Session will be scheduled on October 2, 2007 at 6:00 PM.

**POLICE DEPARTMENT UPDATE** - Chief Baxley

Chief Baxley provided a Synopsis of Usage of Supplemental Requests dated August 27, 2007. On November 28, 2006, the Hopewell City Council approved a Supplemental Budget Request to allow the Hopewell Bureau of Police to do the following:

- Hire a Crime Analyst (non-sworn);
- Hire an Office of Professional Standards (OPS) Lieutenant (Creation of a new Lieutenant's position);
- Hire three Patrol Officers (Creation of three new positions);
- Purchase four new Patrol Vehicles; and,
- Purchase two Patrol Canines.

The creation of the OPS Lieutenant and the three new Patrol Officer Positions brought the authorized strength of sworn officers to 54. As a result of the approval of the above items, the following has taken place:

- After an intensive search for the most qualified individual to fill the Crime Analyst position the Hopewell Bureau of Police hired Karrie Toland on April 25, 2007. With the programs that Ms. Toland has created and the daily/weekly reports generated from those programs, the Hopewell Bureau of Police is policing smarter. She is able to identify areas of the city experiencing the

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highest incidents, which allows the Police force to better deploy manpower to address those areas of concern.

- On January 31, 2007, Lt. Frank McQuage was appointed to the Office of Professional Standards (OPS) which handles the investigation of complaints made regarding members of the Hopewell Police. Since moving into that position, Lt. McQuage has attended training in the area of handling internal investigations. As a result of that training he has revamped the way internal investigations are conducted, making the Police Department more efficient and allowing a more impartial investigation to be conducted. Lt. McQuage has also created a better method for tracking and maintaining the Internal Affairs files. As a side note, with the transfer of Lt. McQuage to OPS a Sergeant was promoted to Lieutenant to fill his vacancy in Patrol.
- In March 2007, three police recruits were hired and sent to the Police Academy. These recruits are currently in the Academy and will graduate on October 5, 2007. Upon graduation they will be sworn in and will begin a 12-233k Field Training Program with their perspective Field Training Officers. It will be the end of December 2007/first part of January 2008, before they are on their own.
- In March 2007, four new Ford Interceptors were purchased and they were equipped with new, updated emergency equipment as well as new markings.
- In November 2006, shortly after the request for two additional patrol dogs was made, the one patrol dog the bureau had was killed. After an intensive search, in February 2007, three potential canines were located to be trained as patrol dogs. Three dogs were purchased, two with the allocated monies and one using departmental funds. The canines and their handlers entered the Norfolk Canine Academy on March 19, 2007 and graduated on June 25, 2007. The three canines are assigned to the Evening Shift with staggered hours to give coverage in the afternoons on the Day Shift and coverage during the early mornings on the Midnight Shift. A fourth canine will be added to the Canine Unit that will be a narcotics dog. The handler began his 12-week training on August 20, 2007. He and his canine are scheduled to graduate on November 9, 2007.

At this time the Hopewell Bureau of Police is authorized 54 sworn officers, from the Chief of Police to the newest officer. Currently there are 52 officers. That leaves one patrol Officer and the Chief's position open. Of those 52 officers, there are three in the academy, one in canine training, one in field training, one on light duty, one Lieutenant on medical leave and one officer on administrative leave. It is anticipated that one patrol position will be filled on September 12, 2007 with a certified officer, who will be in field training for 4-6 weeks. Also a letter of resignation was received from a patrol officer effective September 7, 2007.

Based on the above information, it will be at least February 2008, before any results will be seen that the additional personnel may have on crime in Hopewell. However, based on the information being received from the Crime Analyst, some results are starting due to better allocation of manpower.

Council was very concerned about what can be done now to establish a plan on how to get enough manpower to handle the crime in Hopewell. Dr. Daley indicated that it would be a multi-year objective to achieve an 80-member Police Department by adding personnel in 2008, 2009, and in future years to reach 80 as a goal.

Captain Greg Taylor addressed the question of the analysis of the investigation room. He was assigned to the Property and Evidence Room on August 21, 2006. In December 2005 there was a total restructure of that room. There were 2,600 individual items not found. As of today it has gone down to 262 items not found. Included in those items not located are two hand guns missing from the 1960s and some from the 1970's, etc. His focus was criminal and administrative; focused on administrative at that time. This system broke down long ago. There are possible issues of misfeasance or malfeasance. He has searched for the original property receipts. Regarding Destruction Orders, as of February 16, 2007 he is still receiving requests for evidence that cannot be located. The current process is to place one item in one bag. There are presently 16,000 items in inventory. The State Police took over the Criminal Investigation and all paperwork has been turned over to them. Capt. Taylor does not know when the investigation will

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be completed. Forty cases were nolle prossed, but those individuals could be arrested again. There has been no extensive investigation other than Capt. Taylor's. In response to the question about who would be investigated, past or present employees, Capt. Taylor replied that all people who may have worked in, or been in, the Property and Evidence Room.

#### **DISCUSSION:**

Until Hopewell has a full, able police force of 54, no one can really determine whether we need 70 or 80 police officers. We must know what the full compliment of 54 could do before considering 70 or 80. There are more police officers on the Hopewell Bureau of Police now than ever before and they are working harder than ever before. There is seldom a police department with 90% of officers on any given day. The number of police officers required is typically determined by the population, types of crimes and national trends. Of the 41 cities in Virginia, Hopewell is in the top one quarter (1/4). We will need additional personnel to bring that down to the lower one quarter (1/4). In regard to citizen concerns about drugs, gangs, vandalism and petty crimes, Hopewell police are making many more arrests. There has been a 21% increase in drug/narcotic violations. We need more public relations showing explanations of what is going on and more positive newspaper articles. There are weekly reports from the Police Department to the City Manager, and daily reports to the press. There are not enough police personnel on the street. Major Baxley, Capt. Costanzo and Lt. McQuage are the only personnel not on the street. We do have a three-man Street Crimes Unit whose number one duty is narcotics. But they are used for other crimes when needed. That unit does participate in "sweeps" throughout the City from time to time. The department seems to be more organized and more targeted. The department received 95 applications for the position of Police Chief.

#### **REVENUE UPDATE** - Elesteen Hager

Elesteen Hager, Finance Director, provided a Revenue Summary. There is not much leeway in the budget. A revenue source is needed. There is some growth with the new housing development in the city.

#### **DOWNTOWN LANDSCAPE UPDATE** - Director of Public Works, Phil Elliott & City Engineer, Johnnie Butler

Mr. Butler provided a briefing on Pavement Texturing. The recent Library Street asphalt *surface course application* will not prevent the later addition of a final *surface treatment* detail such as a **Street Print** product, a similar product, or even the one suggestion of applying a surface treatment application of decorative aggregate such as Pea Stone. Note: that some people refer to surface treatment as a chip seal coat. When doing this normally elongated shaped granite chips are used, but it can be done using a brown pea stone. From his experience the pea stone is more difficult, but it can be done.

He does not recommend the surface treatment for many reasons, but it can be applied to the surface course once the proper asphalt curing time has elapsed. The desired curing time would be at least six months (two seasons), but in no case before three months (one full season). This is due to the liquid bituminous concrete product, called AC, which is a primary ingredient in the asphalt mix. The AC product cures and hardens in the asphalt mix by evaporation. Applying another asphalt treatment over the mix will impede the curing process and create very unwanted problems.

Mr. Butler recommended the Street Print products. The decorative treatment can be done in many styles, colors and textures.

When applying Street Print or a decorative aggregate form of surface treatment, the final asphalt surface course would be necessary before either product could be applied.

Following are some of Mr. Butler's concerns with using a surface treatment:

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1. The ADA confusions being created with the texture street surface, pedestrian crossing zones and curb cut ramp landings (i.e., the sign impaired).
2. Friction course issues for both vehicles and pedestrian traffic. It gets slick when wet.
3. The certainty of loose aggregate in the middle zone and along the gutter pan for several months and longer. It will need to be swept often.
4. During hot weather the oil product and aggregate will often pick up on shoes and track.
5. Trench Cut restoration - it is nearly impossible to get the responsible stakeholder to replace a decorative surface treatment.
6. High potential for some AC bleed-back during hot weather and the combination of high vehicle use periods.
7. Creating a Special Maintenance Zone treatment that is generally a type of surface done by high production equipment. If a contractor is secured to do a repair, the cost will be outrageous.

Street Print does not have any of the above problems. It can be applied in about 90 days. It is very adaptive to asphalt. It can be spot-retreated easily. It can be completely eradicated if the color, texture or style must be changed. If it starts to diminish in delineation it can be redone, or the color tint can be changed. The contractors that do this type of work are geared-up to do small areas in special zones.

#### **DISCUSSION:**

No changes were made to the document; the city dealt with Messer to make the changes. There was additional confusion regarding replacing trees and the lighting on Broadway. There was a change order for Broadway and Route #10. There is no work being done on Hopewell Street. There is a communication issue between the contractor and the subcontractor. The city has received a verbal assurance from the contractor that a correction will be made and aggregate will be put down. The design company had concerns with the aggregate. The chemicals break down the concrete and cause disintegration, but the designer is willing to do what the city wants to do. The original design is what is out there now - asphalt.

#### **FULCO Update** - March Altman, Assistant City Manager

FULCO will come before Council at their Work Session on September 18, 2007. They will be meeting with administration to discuss the next steps. Mr. Fuller has some concerns about the Demand Study. He is concerned with the proximity to the river. The city has received a fax from their attorney who is eager to move forward. They also want to talk to the city about the Marina and Patrick Copeland School site.

#### **DISCUSSION:**

There was Council concern about the old Library building and Health Department and whether a new site had been located. There will be some recommendations at the second Council meeting in September (25<sup>th</sup>). Some considerations have been: Cavalier Square and the Exeter site. Now Council will be able to consider Dr. Daley's thoughts and ideas. Regarding the FULCO project, discussion has been encouraged with the owner of the old Navigator's Den and Mr. Fuller.

#### **CLOSED SESSION**

At 8:12 PM **motion** was made by Councilor Cuffey, and seconded by Councilor Emerson, to Convene into Closed Session to discuss Legal Matters (Contract Negotiations Update) in accordance with Va. Code Sec. 2.2-3711 (A) (7). Upon the roll call, the vote resulted:

Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

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Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

### **OPEN SESSION**

At 9:10 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

### **ADJOURN**

At 9:11 PM **motion** was made by Councilor Emerson, and seconded by Councilor Harris, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

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Steven R. Taylor, Mayor

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Ann M. Romano, City Clerk